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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O. Gordon  
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In re Application of:

ZE'EV DRORI

Serial No. 08/334,843

Filed: November 4, 1994

For: ELECTRONICALLY PROGRAMMABLE  
REMOTE CONTROL ACCESS SYSTEM

OFFICIAL

Art Unit 2609

Examiner: Weldon, U.

FOURTH DECLARATION OF ZE'EV DRORI

I, Ze'ev Drori, hereby state the following:

1. I am the inventor of the invention of the subject patent application, which has been assigned to Clifford Electronics, Inc. ("Clifford"). This declaration is further to my declarations previously filed December 12, 1994, June 1, 1995 and October 23, 1995.

2. The invention has literally obsoleted systems which do not include electronic programmability of the access code in accordance with my invention, to the point that every single remote control security system model sold by the assignee Clifford Electronics, Inc. (Clifford) and its affiliates today incorporates the invention. In my declaration filed June 1, 1995, I stated that Clifford has sold over one million security systems which incorporate my invention. I would like to further amplify this statement. Since the introduction to the marketplace of my invention, Clifford sales of security systems which include the invention at issue here have materially increased, year by year.

3. My invention has outdated conventional systems because it provides tremendous advantages to the manufacturer, the installer, and to the end user of vehicle security systems. The user is able to virtually instantly replace a lost or stolen remote control, without having to know the code, or to have mechanical or electronic skills. The manufacturer and retail dealers can save money and

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better manage the remote control inventory by not being required to match specific remote controls to a specific control unit, since any remote control in inventory may be programmed into any control unit. And, installers need not spend time to set transmitter and receiver switches, or risk the consequences of mistakes in scratching conductive traces to match the transmitter and receiver. Lastly, the fact that the transmitter is non-user-programmable means that the number of possible codes, i.e. the number of bits in the digital code, can be greatly increased for a given size of transmitter housing, since there is no need for many switches or accessible circuit traces.

4. Since Clifford first introduced this invention in vehicle security systems, the market acceptance has been sensational, because the invention has no shortcomings, while offering tremendous advantages over the conventional vehicle security systems. Clifford's sales of over one million units of vehicle security systems which incorporate this invention have been in the aftermarket, i.e. sales to customers who install the security system in previously manufactured vehicles.

5. Clifford's aftermarket competitors have realized the tremendous advantages provided by the invention at issue here, to the extent of copying the invention and incorporating it in their own products. This is evidenced by the accompanying documentation, listed in Exhibit A, which demonstrates the widespread, indeed almost universal, use of electronic programmability in accordance with my invention, by aftermarket competitors.

6. Since the early 1990s, the major vehicle manufacturers have also recognized the importance and success of my invention, by incorporating in their vehicles security systems which include my invention. These vehicle manufacturers include, among many others, General Motors, Toyota

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and Nissan, as evidenced by the accompanying documentation listed in Exhibit B.

7. The information described above and the documentation included with my declaration decisively and unambiguously show the phenomenal commercial success of my invention. It is undisputable that, when considering the sales of Clifford and those of the vehicle manufacturers and vehicle security system manufacturers, millions of vehicle security systems are sold each year which embody my invention. Each of these competitors and vehicle manufacturers could sell security systems of the conventional type. The fact that they have instead copied my invention is powerful evidence of its technical superiority.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: February 28, 1996

  
Ze'ev Drori